

# Notice of Allowability

Application No.

10/829,494

Examiner

Kevin Wyatt

Applicant(s)

CH'NG ET AL.

Art Unit

2878

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment after non-final filed 08 May 2006.
2. ☒ The allowed claim(s) is/are 1,2,4-7,9 and 10.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

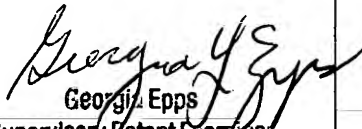
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
Georgia Epps  
Supervisory Patent Examiner  
Technology Center 2800

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. Claims 1-2, 4-7 and 9-10 are allowed.
2. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 1, the prior art fails to disclose or make obvious an apparatus comprising a code strip carrier having a plurality of code tracks thereon comprising, in addition to the other recited limitations of the claim, "an absolute position track, wherein said first logic signal is responsive to change in said direction of travel independent of said first absolute position track."

Regarding claim 6, the prior art fails to disclose or make obvious a method for determining the position of a code strip carrier relative to a predetermined origin position comprising, in addition to the other recited steps of the claim, a method wherein, "said first logic signal is responsive to change in said direction of travel independent of said first absolute position track."

Regarding claims 2, the prior art fails to disclose or make obvious an apparatus comprising a code strip carrier having a plurality of code tracks thereon comprising, in addition to the other recited limitations of the claim, "an absolute position track, wherein said predetermined strips are equally spaced on said code strip carrier."

Regarding claim 7, the prior art fails to disclose or make obvious a method for determining the position of a code strip carrier relative to a predetermined origin position comprising, in addition to the other recited steps of the claim, a method wherein "said

predetermined strips of absolute position track are equally spaced on said code strip carrier."

Regarding claim 4, the prior art fails to disclose or make obvious an apparatus comprising a code strip carrier having a plurality of code tracks thereon comprising, in addition to the other recited limitations of the claim, "a reflective medium having a reflectivity that is altered by exposing said medium to light of an intensity greater than a predetermined intensity."

Regarding claim 9, the prior art fails to disclose or make obvious a method for determining the position of a code strip carrier relative to a predetermined origin position comprising, in addition to the other recited steps of the claim, a method wherein "a reflective medium having a reflectivity that is altered by exposing said medium to light of an intensity greater than a predetermined intensity."

### ***Conclusion***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Wyatt whose telephone number is (571)-272-5974. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Epps can be reached on (571)-272-2328. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



K.W.



Georgia Epps  
Supervisory Patent Examiner  
Technology Center 2800